

PUBLIC EMPLOYEES' RETIREMENT BOARD

August 14, 2014

Topic: Jefferson City-Community VFD

Acceptance of past Certificates that increase members' years of service

Staff recommendation:

Staff recommends that the two members listed on the amended FY2008-2009 VFCA Annual Certificate and the eight members listed on the late filed FY2009-2010 VFCA Annual Certificate, be granted a year of credited service for the fiscal year they are listed to receive.

Board Motion:

Uphold Staff Recommendation

Other.

Moved by

Seconded by

Vote

INFORMAL CONSIDERATION

August 14, 2014

Petitioner: Jefferson City-Community Volunteer Fire Department
Fire Chief: Karl Siderits
Contact: Karl Siderits

Retirement System: VFCA

Request for Board Consideration:

The Jefferson City-Community VFD is requesting that the Board accept the amended Annual Certificate filed on August 4, 2014 for fiscal year 2008-2009 and the late filed Annual Certificate filed on January 20, 2014 for the fiscal year 2009-2010. The Annual Certificates were signed by the Fire Chief and notarized. Included was the training documentation by fiscal year as is required. See details below.

How many fiscal years is the department requesting to file?

One amended for FY2008-2009

One late filed for FY2009-2010

How many specific years of service are being requested?

1 year (FY2009); 2 members

1 year (FY2010); 8 members

Has the actuary evaluated the impact of these years of service on the VFCA plan?

NO

Has the volunteer fire department filed the necessary qualifications as required by State law?

Yes

Was the appropriate training documentation submitted?

Yes

How many times has the department filed late in the last 10 years?

1. FY2005-2006 – no annual certificate was filed.

2. FY2006-2007 – no annual certificate was filed.

3. FY2007-2008 – no annual certificate was filed.

A letter was sent on December 7, 2009 requesting the above late filings. Nothing was received.

4. FY2009-2010 – Being presently considered.

Give details of any problems:

The training documentation was handwritten and hard to read. Sorting out the different entry dates that were given for some of the same members was a huge obstacle in the completion of this consideration.

Correspondence in regards to FY2008-2009 amended annual certificate:

July 27, 2009: Original, notarized FY2008-2009 VFCA Annual Certificate received at MPERA. Annual Certificate was sent back on July 27, 2009 with letter requesting complete entry dates (mm/dd/yyyy) be provided instead of just the year.

July 29, 2009: Receipt of FY2008-2009 Annual certificate with complete dates. Entered credit in database for members qualified to receive the credit.

December 13, 2011: Phone call from Fire Chief Karl (Bud) Siderits inquiring into a one of the firefighters credited years of service and his own as a result of the first annual statements being sent out for VFCA.

January 17, 2012: Diann Levandowski sends letter of explanation to Fire Chief Siderites regarding his inquiry into entry dates for himself and for the one member. Copy of FY2008-2009 Annual Certificate was sent with letter to show the entry dates that Fire Chief Siderits provided on the certificate when filed on July 27, 2009. Enclosed also was a copy of the July 27, 2009 letter requesting complete entry dates for members; the certificate came with only the year; not month, day, and year. (This is a requirement that is sent in a cover letter each year with the Annual Certificate).

February 10, 2012: Letter received from Fire Chief Siderits requesting a correction on Keith Wear's credit for FY2008-2009 because of the incorrect entry date provided by Fire Chief Siderits back in July 2009. Received with the letter also was the handwritten meeting minutes of September 11, 2008 verifying the entry date of Dave Cooper and the July 10, 2008 meeting minutes for verification of the entry date for Keith Wear. Certified handwritten training documentation was also received for FY2008-2009 with this letter.

Correspondence in regards to FY2009-2010 late filed annual certificate:

January 17, 2012: Diann Levandowski sends a letter to Fire Chief Siderits on the late filing of FY2009-2010 VFCA Annual Certificate. It was not received by MPERA on the due date of September 1, 2010. A blank annual certificate, training report template, and training summary template were sent with the letter.

January 20, 2012: Received letter of explanation of late filing; handwritten, certified training documents and summary of the training; and two copies of the original Annual Certificate. One of the copies had been certified by the county clerk and recorder on July 15, 2010, but was never notarized until

January 19, 2012 and was never filed with MPERA. The other copy was notarized on January 19, 2012.

July 9, 2012: Letter sent to Fire Chief Siderits concerning the receipt of the FY2011-2012 VFCA Annual Certificate and the information written about Dave Cooper's entry date and Keith Wear's name not being on the Annual Certificate.

July 27, 2012: Letter and handwritten meeting minutes for six members' entry dates into the department that were still being disputed.

July 11, 2014: Letter received from Fire Chief Siderits along with the FY2013-2014 VFCA Annual Certificate. Letter was concerning the late filing of FY2009-2010 Annual Certificate and the *Total VFCA Service* of the Jefferson City VFD firefighters. He has also mentioned in the letter that the matter is being sent to the Governor's office since we have been unresponsive to this matter.

July 21, 2014: The Governor's office sent notice that a letter from Fire Chief Siderits had been received and requested an MPERA response.

July 25, 2014: Response sent to Fire Chief Siderits and to the Governor's office.

July 30, 2014: Letter, e-mail, training summary spreadsheet, and a FY2008-2009 annual certificate are sent to Fire Chief Siderits for additional information. Letter informs of the information that has been received by MPERA for the FY2009-2010 late filed and the FY2008-2009 amended certificates and the information that is still needed due to the incorrect entry dates that were provided on the original, notarized FY2008-2009 VFCA Annual Certificate. At the time of review, it was determined that two firefighters who originally received credit for the FY2008-2009, should not have received that credit due to only having 20 hours of credit and not the minimum 30 hours of training in a fiscal year.

August 1, 2014: Letter and amended FY2009 Annual Certificate received from Fire Chief Siderits.

RELEVANT LAW AND RULES:

Montana Code Annotated

19-17-108. Credit for service as volunteer firefighter – records. (1) The annual period of service that may be credited under this chapter is the fiscal year. A fractional part of a year may not count toward the service required for participation in this system. To be eligible to receive credit for any particular year, a volunteer firefighter shall serve with a fire company throughout the entire fiscal year.

(2) The years of service are cumulative and need not be continuous. Separate periods of service properly credited with different fire companies must be credited toward a member's eligibility for full or partial benefits.

(3) A volunteer firefighter must receive credit for service during any fiscal year if:

(a) during the fiscal year, the volunteer firefighter completes a minimum of 30 hours of training in matters pertaining to firefighting under a formal program that has been formulated, supervised, and certified to the board by the chief or designated official of the fire company;

(b) the volunteer firefighter's participation in the training program is documented in the fire company's records filed and maintained by the chief or designated official; and

(c) the fire company maintained firefighting equipment that is in serviceable condition and owns, rents, or uses one or more buildings used for the storage of that equipment that all together are valued at \$12,000 or more.

(4) The chief or designated official of each fire company shall keep and maintain training records for each current and former volunteer firefighter who is or was a member of the fire company.

19-17-402. Certificate of eligibility. The chief or designated official of each fire company that claims eligibility under this chapter shall, on or before September 1 of each year, file a certificate on a form to be provided by the board, subscribed and verified under oath before a notary, stating whether the company qualified under 19-17-108(3) during the preceding fiscal year. The certificate must contain the date of organization. The certificate must list the full name, social security number, and date of birth of each member of the fire company who was a member for the entire fiscal year and satisfactorily completed 30 hours of training during the preceding fiscal year, as required by 19-17-108(3). The certificate must be maintained by the board for the purpose of establishing service for members and eligibility for benefits.

MPERA ARM

2.43.5001 BASIC UNIT OF SERVICE (1) As of July 1, 1965, the basic unit of service for volunteer firefighters is one fiscal year. Volunteer firefighters not continuously on the active membership list of a single qualifying volunteer fire company for the entire fiscal year shall not be listed on the annual certificate and shall not receive credit for service under the Volunteer Firefighters' Compensation Act (VFCA) for that fiscal year. A volunteer fire company qualifies to participate in the VFCA if the requirements of 19-17-402, MCA, are met.

(2) A volunteer firefighter shall receive one year of credit for service under the VFCA for each two full fiscal years of service performed prior to July 1, 1965. (History: 19-17-203, MCA; IMP, 19-17-201, 19-17-401, 19-17-402, MCA; NEW, 1986 MAR p. 1454, Eff. 8/29/86; AMD, 2003 MAR p. 1188, Eff. 6/13/03; AMD & TRANS, from ARM 2.43.801, 2008 MAR p. 2467, Eff. 12/01/08.)

2.43.5002 FAILURE TO FILE REQUIRED REPORTS (1) In order to receive credit for service under the VFCA, volunteer fire companies must file an "annual certificate" with MPERA. The certification is a report by the fire chief that the members listed on the certificate were active for the full fiscal year and also had the required 30 hours of training. This report is on a fiscal year basis (July through June) and is due by September 1 of each year. The annual certificate is signed by the fire chief and notarized. Annual certificate forms are provided by MPERA.

(2) Annual certificates filed after the September 1 due date must be appealed to and considered by the board for approval. Information provided to the board by the fire chief or designated official must include:

- (a) the original, notarized annual certificate;
- (b) certified training documents showing the required 30 hours of training per listed member;
- (c) a letter from the fire chief explaining why the annual certificate was not filed timely; and
- (d) if requested by the fire chief, oral argument before board. (History: 19-17-203, MCA; IMP, 19-17-201, 19-17-402, MCA; NEW, 1986 MAR p. 1454, Eff. 8/29/86; AMD, 2003 MAR p. 1188, Eff. 6/13/03; AMD & TRANS, from ARM 2.43.802, 2008 MAR p. 2467, Eff. 12/01/08.)

Jefferson City-Community VFD

Acceptance of past Certificates that increase members' years of service

Summary:

This was a long process due to the conflicting information that was sent and the amount of staff to work on the errors in reporting. The main obstacles were the original entry dates that were provided by Fire Chief Siderits on the original, notarized FY2008-2009 VFCA Annual Certificate; the training information provided was hard to read because the records were handwritten making it difficult to make a summary of training for FY2008-2009 and FY2009-2010; and, understanding the intent of the communication received was also a key obstacle in this consideration.

Pursuant to § 19-17-112 (5), MCA, an annual certificate may only be amended once. The FY2008-2009 Annual Certificate has never been amended before and the information was received within the time limit.

Also, pursuant to § 19-17-112 (5), MCA, a late filed certificate must be filed within 3 years of the due date. FY2009-2010 Annual Certificate was due on September 1, 2010. The certificate was received on January 20, 2012 along with the certified training documentation. The receipt of the information is within the time limit.

FY2008-2009

PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION



BRIAN SCHWEITZER
GOVERNOR

STATE OF MONTANA

mpera.mt.gov

HELENA (406) 444-3154
TOLL FREE (877) 275-7372
FAX (406) 444-5428

100 N. PARK, SUITE 200
PO BOX 200131
HELENA, MT 59620-0131

July 27, 2009

Karl (Bud) Siderits, Fire Chief
Jefferson City-Community VFD
PO Box 184
Jefferson City, MT 59638

Dear Fire Chief Siderits:

Enclosed you will find the January 2006 Volunteer Firefighters' Compensation Act (VFCA) Handbook. This is the most recent handbook. Please note the special filings and the dates that these documents are due.

I have also enclosed a copy of the VFCA Annual Certificate for FY2008-2009 that I received today. In the column for "VFCA Entry Date" I need a complete date: month, day and year. Please provide me with this information as soon as possible so the credit can be given to the members of Jefferson City-Community VFD.

If you have any questions, please contact me at 406-444-3193 or toll free 877-275-7372 ext 3193.

Sincerely,

Diann Levandowski

Diann Levandowski
Assistant Fiscal Services Bureau Chief

Enclosures

RECEIVED

RECEIVED

FEB 10 2012

RETIREMENT BOARD

19/

19/

12/12/08 3:04pm 933-5409

Bud Siderits

sent Dave Cooper Jefferson County

11/11/08 461-7466 PO Box 184

7/1/2008

2011 Jefferson City

59638

3rd

7/1/2008 - 7/1/2009

full yr Bud Siderits

was Fire Chief

PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION



BRIAN SCHWEITZER
GOVERNOR

STATE OF MONTANA

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100 N. PARK, SUITE 200
PO BOX 200131
HELENA, MT 59620-0131

January 17, 2012

Karl Siderits, Fire Chief
Jefferson City – Community VFD
PO Box 184
Jefferson City, MT 59638

Re: Volunteer Firefighters' Compensation Act (VFCA) Entry Dates, FY2008-2009 VFCA Annual Certificate

Dear Fire Chief Siderits,

First, I must apologize for the lateness of this information. I realize that you had called back on December 13, 2011 asking about the entry date for David Cooper. With the holidays and vacations, I have not been able to devote the time I needed to this issue. Thank you for your patience and understanding.

Enclosed you will find the copy of the FY2008-2009 VFCA Annual Certificate that has the VFCA Entry Dates entered by you in July 2009 after we had received the original, notarized Annual Certificate without complete entry dates. Per our conversation of December 13, 2011, you say that David Cooper should have an entry date of July 1, 2008 and not September 11, 2008 as you had originally put on the FY2008-2009 Annual Certificate.

As was stated in the December 13, 2011 conversation, I will need proof that David Cooper and any of the other members listed on the FY2008-2009 VFCA Annual Certificate, that are disputing their entry dates, do indeed have different entry dates than what was entered on that certificate. The proof would be either an application to join the department and/or meeting minutes approving the entry of the members.

I have also enclosed your Credited Years of Service Report for your records. This shows your credited year of service with Clancy VFD. You had an entry date of September 6, 2006, therefore, your first complete fiscal year you would have been able to receive credit would have been FY2007-2008 (July 1, 2007 through June 30, 2008). Also, shows your two years of credited service with the Jefferson City-Community VFD, with an entry date of 7/1/2008.

If you have any questions, please contact me at the address above or by telephoning 406-444-3193 or toll free 877-275-7372 (ext 3193).

Sincerely,
Diann Levandowski
Diann Levandowski
Assistant Fiscal Services Bureau Chief

Enclosures

RECEIVED
FEB 10 2012
RETIREMENT BOARD

**JEFFERSON CITY VOLUNTEER FIRE DEPARTMENT
PO BOX 56, JEFFERSON CITY, MT 59638**

**RECEIVED
FEB 10 2012
RETIREMENT BOARD**

February 9, 2012

Ms. Diann Levandowski

Assistant Fiscal Services Bureau Chief

Public Employee Retirement Administration

100 N. Park Street, Suite 200

PO Box 200131

Helena, MT 59620-0131

Re: VFCA Entry Dates, FY 2008-2009 VFCA Annual Certificate

Dear Ms. Levandowski:

Jefferson City Volunteer Department (JCVFD) fire fighter David Cooper joined our department on September 11, 2008. This is documented in our hand written minutes of the September 11, 2008 business meeting, copy which is attached. Dave Cooper had 67 hours of documented, certified fire training for the FY 2008/2009. However, his retirement criteria for MT Public Employee Retirement Association would not be credited for that year according to your information as he did not have one full fiscal year with the JCVFD. In 2009/2010 Dave Cooper completed 68 hours of documented certified training. This JCVFD full training record of 2009/2010 was sent to you in my letter of January 19, 2012.

FEB 10 2012

RETIREMENT BOARD

A correction needs to be made for JCVFD member Keith Wear. He did have the full fiscal year volunteer service with the JCVFD in FY 2008/09. Keith joined the JCVFD on July 1, 2008 and this was documented in our meeting notes of July 10 which are attached. Please see the first paragraph of the minutes in which it is stated, "He introduced new members: Keith Wear....." You are also referred to the attached "Jeff City VFD Training, Training 2008" which documents the entire FY 2008/2009 training for Keith Wear as well as for Dave Cooper. Keith Wear performed 52 hours of documented certified training in FY 2008/2009. I have attached copies of the documentation forms I used beginning with 7/10/2008. As a new chief in July 2008 with the JCVFD, I did not realize I needed individual training forms until November. I started using the detailed training forms beginning with the 11/8/2008 form. These training forms document the training for the remainder of the fiscal year. Regarding Keith, these forms show that he did have at least 52 hours of training in FY 2008/09.

Please contact me if I can be of further assistance.

Sincerely,



Karl Siderits

Fire Chief

Attachments

JEFFERSON CITY VFD

Training records for FY2009

date	class	BUD SIDETS	BRUCE BRENDA	ZION MADISON	GEORGE IDEMERS	BOB KUNZ	TODD LORENZEN	SHAWN LAR	ERIK OGH	RICK BOYNTON	WILL MURPHY	KEITH WEAR	BANDY SURGES	CHAD ROUNDEBUSH	PETE SCHMIDT	CHERYL UNGERMAN	ZANE MADSON	DAVE COOPER	GREG YOUTHER	JONATHAN HESLEP	ROBERT EPREN	CODY THERAULT	JESSIE KAMBER	MEGAN JOHNSTON	MIKE GREER	JASON HESLEP	CHRIS MILTENBURGER	TIM MUNDANOHL	BRANDON GHANDLER	TERRY KUNZ	STEVE CARBY	GEORGE GREER	MIKE SAVILA	Description			
7/10/2008	Structure 1 / Brush 1 Pumps	2																																			
7/24/2008	Carbon Pump Station, All truck First	3																																			
8/14/2008	Responder/Safety	1																																			
8/19/2008	Brush 2 Foam Ops	3																																			
8/23/2008	Structure 1, shelters, Brush 2	3																																			
8/25/2008	Brush 1 Incl. foam	2																																			
8/28/2008	Brush 1 & 2, Structure	3																																			
8/30/2008	Trainings of ? All truck	3																																			
9/11/2008	SCBA	2																																			
9/13/2008	Structure 1, Radio ?, Structure 2, fill site, ?	3																																			
9/15/2008	Structure 1, Brush 2, safety, initial tfg(?)	2																																			
9/19/2008	Structure 1 w/tender 1, 2, & spray, fill tank	3																																			
9/20/2008	SCBA	1																																			
9/25/2008	Structure FF	2																																			
10/19/2008	Defensive FF	3																																			
10/23/2008	Defensive FF	3																																			
10/25/2008	Defensive FF	2																																			
11/6/2008	NIMS Mason	2																																			
11/8/2008																																					
11/15/2008																																					
11/20/2008 & 12/6/2008 (2 hours each day)	Structural	6																																			
1/6/2009	Structural Entry	2																																			
1/22/2009	Entry into burning structure, chimney flue fire, driving safety, car fires	2																																			
2/6/2009	DNRC - Wildland fires	4																																			
2/7/2009	DNRC - Wildland fires	4																																			
2/26/2009	Structure Fire	2																																			
3/26/2009	Structure Fire	2																																			

Can't read what training is? No credit.

Safety - on checking truck before leaving, driving safety, wearing all PPE. Communications - procedure on hand-held & truck radios w/Boulder Sheriff. Size-up - reporting situation; type of fire, hazards, mutual aid, specifics. Structure truck - wheel checks, setting pump operation, pulling hose correctly, use of radios at engine & hose. Carbon fill site - safety on site; procedure using hydrant, filling truck, closing hydrant & drain. Tender - connecting tender to structure engine, maintain discharge process & fill tank.

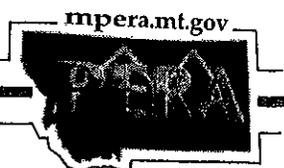
Safety in structure fire training, wearing PPE, correct procedure in auto accidents, structures. Working in teams, highway safety procedures for the firefighters, use of SCBA, entering bldg. Arrived on scene w/equipment. Correct positioning of engines & tender, looking for hazards, safety issues; maintaining open roads as best as possible; ? Zones. Use of gold channel for staging, keeping route open for tender support. Safety - ? SCBA on, ready for use on arrival.

FY2009-2010

PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION



BRIAN SCHWEITZER
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STATE OF MONTANA

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PO BOX 200131
HELENA, MT 59620-0131

January 17, 2012

Karl Siderits, Fire Chief
Jefferson City & Community VFD
PO Box 184
Jefferson City, MT 59638

Re: Late filing of FY2009-2010 VFCA Annual Certificate

Dear Fire Chief Siderits,

The Public Employees' Retirement Board (PERB) has decided that late or amended certificates, when filed properly, accompanied by a letter of explanation from the fire chief, and **certified** training documentation for the 30 or more hours of firefighting training, will be considered for acceptance. Beginning July 1, 2011, only late Annual Certificates that are filed within 3 years of the original Annual Certificate due date will be considered. The due dates of annual certificates are September 1 of each year for the previous fiscal year (ie FY2007-2008 was due September 1, 2008). An annual certificate may be amended only once.

The **certified** training information must be based on fiscal years (July 1st thru June 30th) and in an easily readable format. Training documentation must include the following:

- ❖ The date the training was offered;
- ❖ Title of the training;
- ❖ Description of the training;
- ❖ Hours of training;
- ❖ Each member's hours of training for each class;
- ❖ Certification that the training took place.

Training does **not** include business meetings, emergency calls or vehicle or hall maintenance.

On the enclosed blank annual certificate, please include names of all members that qualified for credit during fiscal year 2009-2010. Remember an annual certificate may be amended only once.

If you have questions, please call me at 406-444-3193 or toll free 1-877-275-7372 ext 3193.

Sincerely,
Diann Levandowski
Diann Levandowski
Assistant Fiscal Services Bureau Chief

Send:
- Blank AC
- Training Report template
- Training Summary Template

Enclosure

JEFFERSON CITY VOLUNTEER FIRE DEPARTMENT

PO BOX 56, JEFFERSON CITY, MT 59638

January 19, 2012

Ms. Diann Levandowski

Assistant Fiscal Services Bureau Chief

Public Employee Retirement Administration

100 N. Park Street, Suite 200

PO Box 200131

Helena, MT 59620-0131

Re: Late filling of FY 2009-2010 VFCA Annual Certificate

Dear Ms. Levandowski:

I have enclosed the 6 items of training documentation which you requested from our fire department in your letter of January 17, 2012. As we discussed on the phone, I am submitting this information in the format used for documentation at our department. The documentation of training we keep is very detailed and complete for each member.

I also am enclosing a copy of the VFCA Annual Certificate –FY 2009-2010 which I did prepare prior to the submission date of 9/1/2010 and had it certified by our county clerk and recorder on 7/15/2010. I did not know at that time the certificate would not be forwarded to you. Their practice of previous years

apparently ended. Also, I forgot to get this document notarized prior to giving it to the clerk. I had this copy notarized today and am submitting it to you along with an entirely new annual certificate for 2009-2010. This copy is not certified by the clerk as you no longer require this.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl Siderits', written over a horizontal line.

Karl Siderits

Fire Chief

Enclosures

PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION



BRIAN SCHWEITZER
GOVERNOR

STATE OF MONTANA

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PO BOX 200131
HELENA, MT 59620-0131

July 9, 2012

Fire Chief Karl Siderits
Jefferson City-Community VFD
PO Box 56
Jefferson City, MT 59638

Dear Fire Chief Siderits,

Montana Public Employee Retirement Administration (MPERA) is in receipt of the VFCA Annual Certificate – FY2011-2012. You had written on the Annual Certificate two points that I would like to address.

1. "I have challenged Dave Cooper's VFCA entry date total VFCA service. He should have 3 years of service."

I remember discussing this with you and I believe that I had told you that I needed a copy of the meeting minutes or an application of entry into the department for verification of his entry date.

When I had received the FY2008-2009 Annual Certificate I had to send this back to you so you could fill out a complete entry date on each of the members. The certificate only had the year that the firefighters had joined your department. You provided the complete dates (month, day, and year) when I had sent the certificate back to you. The date that was provided was September 11, 2008.

A firefighter must be with a single fire department for the full fiscal year (July 1 through June 30 of the following year) and must have a minimum of 30 hours of firefighting training to be listed and receive credit on the annual certificate. With September 11, 2008 as the entry date that was provided, Dave Cooper does not qualify for FY2008-2009 credit.

The following members had September 11, 2008 as their entry date into the department:

Keith Wear	9/11/2008	Dave Cooper	9/11/2008
Chad Roudebush	9/11/2008	Pete Schmitz	9/11/2008
Randy Surges	9/11/2008	Cheryl Ungerman	9/11/2008

On the FY2009-2010, which was filed late for consideration by the Public Employees' Retirement Board (PERB), has an entry date of 7/2008 for Keith Wear, Dave Cooper, and Chad Roudebush. What is the complete entry date of these firefighters? As was requested above, please provide me with a copy of the meeting minutes or an application of entry into the department for verification of the member's entry dates.

2. "You omitted Keith Wear. I have submitted his name every year since 2008."

In researching the file, he was listed on the FY2008-2009 VFCA Annual Certificate with an entry date of September 11, 2008, which does not make him eligible for credit for FY2008-2009 as was explained above.

On the late filed FY2009-2010 Annual Certificate, he is listed but with an entry date of 7/2008. This does not correspond with the date that was provided on the FY2008-2009 Annual Certificate. Also, the date is not a complete date; it is missing the day of the month. I have included a copy of the annual certificate so you may fill in the complete entry dates of the members.

On the FY2010-2011 Annual Certificate Keith Wear is not listed, this is the reason that he is not on this fiscal years' annual certificate (FY2011-2012). Only the members who received credit in the past fiscal year (FY2010-2011) are listed on the annual certificate.

To summarize, I will need a copy of the meeting minutes or if they are required to fill out an application for entry into the department, a copy of the application for each of the members that I have listed above.

I will also need the complete entry dates of the members that are listed on the FY2009-2010 Annual Certificate before I can take this informal consideration in front of the PERB.

In you have any questions, please call me at 406-444-3193 or write to me at the above address.

Sincerely,

Diann Levandowski

Diann Levandowski
Assistant Fiscal Services Bureau Chief

Enclosure

JEFFERSON CITY VOLUNTEER FIRE DEPARTMENT

PO BOX 56, JEFFERSON CITY, MT 59638

RECEIVED

JUL 27 2012

RETIREMENT BOARD

July 23, 2012

Ms. Diann Levandowski

Assistant Fiscal Services Bureau Chief

Public Employee Retirement Administration

100 N. Park Street, Suite 200

PO Box 200131

Helena, MT 59620-0131

Re: Your ltr of 7/9/2012 - Late filing of FY 2009-2010 VFCA Annual Certificate

Dear Ms.Levandowski:

Jefferson City Volunteer Fire Department fire fighter Dave Cooper joined our Department on September 11, 2008. He will not get credit on the annual certificate for 2008-2009. The 3 years he should have credit for are 2009-10, 2010-11 and 2011-12. On February 8, 2012, I sent documentation to you of our Department's minutes from September 11, 2008 which verifies this. I have attached another copy of the notes from this meeting. It states"Order for Dave Cooper 10W Boots; nomex cap, structure helmet, 1 piece jumpsuit"... This was the first entry for Dave Cooper in our minutes. It is followed by ..."9/16 Order for Dave Cooper Chiefs Supply..... with a total amount for the order. (See attached Item D).

Keith Wear was a member of the Department prior to July 1, 2008. However, meeting minutes were not regularly kept. When I arrived on July 1, 2008, Keith came to our meeting of July 10, 2008 as recorded in my handwritten notes of this meeting (See attached Items A and C). You also can observe in my notes of that meeting (in the middle of the page) that I stressed " ...need to implement Certified Tng forms-submit report by Sept 1 to MPERA. Impt item for retirement program from State-MPERA....." (See attached Item A, in the middle of the page). I did not include Keith Wear on the VFCA certificate for 2010-2011 as he was injured at a structure fire on December 10, 2010 and was not able to attend the required 30 hours of training throughout the year as required by MT PERA. He has recovered from his injuries and has been a very active member in the 2011-2012 period, meeting the requirements of certification for MT PERA.

Jefferson City VFD entry date for Chad Roudebush and Randy Surges, is July 1, 2008. They are listed on attached sheet B-2, that they were called prior to the July 11 meeting date and on attached Item E, I show I was ordering bunker gear for them early in July.

Cheryl Ungerman's and Pete Schmitz entry date is August 14, 2008, see attached Item F. Their names can be seen on the attached Item F as present at the meeting and the words1st mtg – Pete; Cheryl... These individuals are no longer members of the Department.

Ms. Levandowski and Montana Public Employee Retirement Administration board members, please recognize that at this time in 2008, I just had transferred to the Jefferson City VFD from the Clancy VFD where I was a volunteer fire fighter. I had just stepped into this volunteer fire chief position at the Jefferson City VFD. The Jefferson City VFD needed considerable improvement in organization, effective operating equipment, training and an active

JUL 27 2012

RETIREMENT BOARD

recruitment program. I was trying to learn the "entire system", to organize the department internally and within the county fire control structure. It took some time to get equipment operational, provide an organized training program with the help of Montana State University Fire Services Training School and insure our responsibility to residents in our fire district. We did come together as an effective and respected fire organization. I would be pleased to review any of the attached information with you at your convenience.

Sincerely,

Karl Siderits

Fire Chief

Enclosures: Items A through F

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**JEFFERSON CITY VOLUNTEER FIRE DEPARTMENT
PO BOX 56, JEFFERSON CITY, MT 59638**

July 10, 2014

**Ms. Diann Levandowski
Assistant Fiscal Services Bureau Chief
Public Employee Retirement Administration
100 N. Park Street, Suite 200
PO Box 200131
Helena, MT 59620-0131**

Dear Ms. Levandowski:

I am enclosing the Jefferson City VFD notarized VFCA Annual Certificate – FY 2013-2014. Please recognize that for the past 3 years I have disagreed with the “Total VFCA Service” you indicate for our volunteer fire fighters. I submitted the 2009/2010 Certificate in January of 2011, four months late. However, the training hours I documented on that Certificate for each volunteer was correct. They should be given credit for this fiscal year. My reasoning for the “late” filing is documented in my January 19, 2012, letter to you as well as in many discussions I had with you on the phone and meeting with you in your office. I also have tried to contact your Director but the receptionist said she will not receive calls. When trying to contact your attorney, this person was not available and neither of the two would respond to me.

My detailed training records which I provided to you in 2012 prove we met MT Public Employee Retirement Administration requirements. I write a paragraph which documents the training hours and activity for each JCVFD fire fighter who attended, normally the same evening after the training concludes. I have an EXCEL computer record of the training and I have a very visible poster board record tacked to the wall of the fire hall of each members training, kept up to date right after the night of the training. If there is fault to find, blame me for not submitting the 2009-2010 certificate on time but do not make my volunteer fire fighters lose one year of their service towards retirement. I explained how the system had changed in this county regarding certifying and notarizing the MT PERA certificate. I did not ask enough questions when I submitted it to the

county. I thought it would be notarized and sent to you. When I found out it was not, in January of 2011, I got the training record notarized and sent to you.

Three and one half years is way too long for the MT PERA to not resolve this situation. We are volunteer fire fighters who serve the public 24 hours a day, 7 days a week and 365 days a year. A copy of this year's MT PERA Certificate and a letter asking for their assistance in the unresolved MT PERA 2009/2010 Certificate will be sent to the Governor's office. The MT Public Employees Retirement Administration has been unresponsive to us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl Siderits', written over a horizontal line.

Karl Siderits

Volunteer Fire Chief

Enclosure - PERA 2013/14 report

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MONTANA PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION



STEVE BULLOCK
GOVERNOR

DORIS SCHWINDEN
EXECUTIVE DIRECTOR

STATE OF MONTANA

HELENA (406) 444-3154
TOLL FREE (877) 275-7372
FAX (406) 444-5428

100 N PARK, STE 200
PO BOX 200131
HELENA MT 59620-0131
mpera.mt.gov



July 30, 2014

Karl Siderits, Fire Chief
Jefferson City VFD
PO Box 56
Jefferson City, MT 59638

Dear Fire Chief Siderits,

In reviewing the information that we have received for the late filing of FY2009-2010 VFCA Annual Certificate, I have concluded that we have two separate issues. The first issue is the amendment of the FY2008-2009 Annual Certificate due to the incorrect entry dates being received when the annual certificate was filed. The second issue is the late filed FY2009-2010 Annual Certificate as a result of the certificate not being filed with our office by September 1, 2010.

For the amendment of FY2008-2009 VFCA Annual Certificate, we have received the following:

1. Original, notarized FY2008-2009 VFCA Annual Certificate filed with our office on July 27, 2009. Sent back to you on July 27, 2009 with a letter requesting complete entry dates (mm/dd/yyyy) be provided instead of just the year. When received they only had the year in the *VFCA Entry Date* column.
2. FY2008-2009 VFCA Annual Certificate was received with complete entry dates. With the entry dates that were provided, some of the members that were marked to receive credit did not because they were not with the Jefferson City VFD for a full fiscal year (7/1/2008 through 6/30/2009).
3. Meeting minutes verifying the entry dates of David Cooper (9/11/2008) and Keith Wear (7/1/2008).
4. Your letter dated February 9, 2012 detailing the entry date of Dave Cooper being 9/11/2008 and Keith Wear's entry date of 7/1/2008. This was accompanied with the meeting minutes for the first meetings the two had become members of the department.

This letter is asking for a correction to be made to Keith Wear's credit for FY2008-2009, because of the entry date being 7/1/2008. Also sent were the training spreadsheet that you were using to record training prior to November 2008, and the individual training sheets with detailed descriptions of the training received beginning with the 11/8/2008 training.

5. Your letter dated July 23, 2012 answering my letter of July 9, 2012. Your letter was accompanied with attachments to verify the entry dates of: Keith Wear (7/1/2008 from 9/11/2008); Chad Roudebush (7/1/2008 from 9/11/2008); Randy Surges (7/1/2008 from 9/11/2008); Dave Cooper (9/11/2008, no change); Peter Schmitz (8/14/2008 from 9/11/2008); and Cheryl Ungerman (8/14/2008 from 9/11/2008).

Actions to be taken for FY2008-2009 VFCA Annual Certificate:

In reviewing the information received, it has been determined that Keith Wear and Chad Roudebush should receive credit for FY2008-2009 because of their corrected entry dates and they had over the 30 hours of the required firefighting training in the fiscal year.

Also, during the review of the information received it was determined that two of your firefighters, Zion Madison and Todd Lorenzen, who did receive credit for FY2008-2009 with the original filing received on July 27, 2012, should not have been marked to receive credit. They did not have the minimum 30 hours of firefighting training for FY2008-2009.

According to Section 19-17-113 of the Montana Code Annotated (MCA), when an error has resulted in the increase or decrease of a members credited years of service towards their retirement benefit, then on discovery of the error a correction will be made to the credited years of service. Therefore, a reduction of the firefighters credited years of service will occur. If you have the records to prove their training was a minimum of 30 hours instead of the 20 hours, please supply them to the MPERA office. The timing of this information could impact our ability to take your claim to the August board meeting. If records cannot be provided to substantiate the year of credit, a letter will be sent to each of these firefighters informing them of this error and the reduction in their credited years of service.

You had marked Cheryl Ungerman and Dave Cooper to receive credit on the original filed FY2008-2009 Annual Certificate; they did have the minimum 30 hours of training but they were not with the fire company for a full fiscal year. They did not receive credit; therefore, no action will be taken on these firefighters' records.

Enclosed is an amended Annual Certificate for FY2008-2009. Please add Keith Wear and Chad Roudebush's names; dates of birth; SSN; and complete, correct entry dates. This form will need to be notarized and signed, then sent back to our office for consideration by the Public Employees' Retirement Board (PERB).

For the late filing of FY2009-2010 VFCA Annual Certificate, we have received the following:

1. Copy of the original FY2009-2010 VFCA Annual Certificate certified by Jefferson County Clerk on 7/15/2010 and notarized on January 19, 2012. This was resigned by Fire Chief Karl Siderits. Two firefighters have been added to this certificate with incomplete information and no indication if they should receive credit. This certificate has incomplete entry dates for other members listed; only month and year are listed.

2. Copy of original FY2009-2010 VFCA Annual Certificate notarized on 1/19/2012 and resigned by Fire Chief Karl Siderits. This certificate has incomplete entry dates for members listed; only month and year are listed.
3. Certified training sheets for FY2009-2010 and letter dated January 19, 2012.
4. Members who will receive credit and were indicated to receive credit are:

Karl (Bud) Siderits, 90 hours;
George DeMers, 39 hours;
Robert (Bob) Kunz, 39 hours
Keith Wear, 69 hours
Dave Cooper, 67 hours
Greg Voutheir, 53 hours
Megan Johnston, 44 hours
Mike Greer, 44 hours

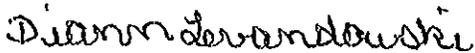
No further action required on this late filed annual certificate by Fire Chief Siderits; ready to be presented as an Informal Consideration to the PERB by staff of MPERA.

As requested above, please add the names of Keith Wear and Chad Roudebush and their complete personal information to the enclosed, amended FY2008-2009 VFCA Annual Certificate. The returned certificate must be the original, signed and notarized certificate and not a copy.

Please return the enclosed annual certificate and the training for Zion Madison and Todd Lorenzen by Monday, August 4, 2014 to be included in the presentation to the PERB during their August 14, 2014 meeting.

If you have any questions, please contact our office.

Sincerely,



Diann Levandowski
Assistant Fiscal Services Bureau Chief

Enclosures: FY2008-2009 Annual Certificate;
FY2008-2009 Training Summary
FY2009-2010 Training Summary

JEFFERSON CITY VFD

Training records for FY2010

date	class	Name		HRS
6/27/2012	drafting from dry hydrant	BUD SIDERITS	BUD SIDERITS	2
		BRUCE BRENSDAL	BRUCE BRENSDAL	
		ZION MADISON	ZION MADISON	
		GEORGE DEMERS	GEORGE DEMERS	
		BOB KUNZ	BOB KUNZ	
		TODD LORENZEN	TODD LORENZEN	
		SHAWN LAR	SHAWN LAR	
		ERIO ROCHA	ERIO ROCHA	
		RICK BOYNTON	RICK BOYNTON	
		JIM MURPHY	JIM MURPHY	
		KEITH WEAR	KEITH WEAR	2
		HANDY SURGES	HANDY SURGES	
		CHAD ROUDEBUSH	CHAD ROUDEBUSH	
		PETE SCHMITZ	PETE SCHMITZ	
		CHERYL UNGERMAN	CHERYL UNGERMAN	
		ZANE MADISON	ZANE MADISON	
		DAVE COOPER	DAVE COOPER	2
		GREG YOUTHEIF	GREG YOUTHEIF	
		JONATHAN HESLEP	JONATHAN HESLEP	2
		ROBERT PIRREN	ROBERT PIRREN	
		CODY THERIAULT	CODY THERIAULT	
		WESSIE KEMPER	WESSIE KEMPER	
		MEGAN JOHNSTON	MEGAN JOHNSTON	
		MIKE GREER	MIKE GREER	
		JASON HESLEP	JASON HESLEP	
		CHRIS MILTENBURGE	CHRIS MILTENBURGE	
		ALAN GROVER	ALAN GROVER	
		RYAN O MASTERS	RYAN O MASTERS	
		THOR ULBERG	THOR ULBERG	
		DIANA CONNICK	DIANA CONNICK	
		WILL DUBRUL	WILL DUBRUL	2
		RYAN SUTHEIMER	RYAN SUTHEIMER	
		TERRY KUNZ	TERRY KUNZ	1
		TOTALS		90

The following firefighters are eligible to receive credit for FY2009-2010:
 (Have a minimum of 30 hours of training and have been with the dept. for full fiscal year (7/1/2009 through 6/30/2010))

Entry Date	Name	HRS
7/1/2008	Karl (Bud) Siderits	90
1/1/2000	George Demers	39
1/1/2000	Robert (Bob) Kunz	39
7/1/2008	Keith Wear	69
9/1/2008	Dave Cooper	67
7/1/2008	Greg Youtheif	53
6/1/2009	Megan Johnston	44
6/1/2009	Mike Greer	44

The following firefighter is not eligible to receive credit for FY2009-2010:
 (Has 34 hours of training but has not been with the fire dept for the full fiscal year)

Entry Date	Name	HRS
6/1/2009	Alan Grover	36

Description
 Wearing all wildland PPE using radios to Boulder dispatch for reporting out at Corbin dry hydrant, positioning & hooking hose on T1 & T2 to use dash from dry hydrant, operating pumps correctly, using correct throttle & primer settings, operating truck w code & lights at fill site. Using spotter for backing & position trucks.

JEFFERSON CITY VOLUNTEER FIRE DEPARTMENT

PO BOX 56, JEFFERSON CITY, MT 59638

August 1, 2014

**Ms. Diann Levandowski
Assistant Fiscal Services Bureau Chief
MT Public Employees Retirement Administration
100 N. Park Street, Suite 200
PO Box 200131
Helena, MT 59620-0131**

Re: Your ltr of July 30, 2014

Dear Ms. Levandowski: In response to your ..."Actions to be taken for FY 2008-2009 VFCA Annual Certificate"

- 1. The amended, notarized and signed Annual Certificate for FY 2008-2009 is enclosed with the addition of Keith Wear and Chad Roudebush's names; DOB, SSN and complete, correct entry dates. Both Wear and Roudebush's entry dates are 7/1/2008.**
- 2. For the 2008/2009 PERA training period, Zion Madison had 21 hours and Todd Lorenzen had 22 hours. They would not have qualified for MT PERA.**

Sincerely,


Karl Siderits

Fire Chief

enclosure

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AUG 04 2014

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